

JC10 Rec'd PCT/PTO 11 JUL 2005

Customized FORM PTO-1390 (Rev 02-2005)

#4

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		ATTORNEY DOCKET NO. <b>P08418US00/MP</b>
		US APPL. NO. (If known, see 37CFR 1.5) <b>10/511,200</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/04820</b>	INTERNATIONAL FILING DATE <b>08 MAY 2003</b>	PRIORITY DATE CLAIMED <b>13 MAY 2002</b>
TITLE OF INVENTION: <b>PROCESS AND APPARATUS FOR FEEDING POWDERED, GRANULAR OR HERB...</b>		
APPLICANT(S) FOR DO/EO/US: <b>FACCHINI, Libero</b>		
Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:		
<input type="checkbox"/> 1. This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> 2. This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 USC 371. <input type="checkbox"/> 3. This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> 4. The US has been elected (Article 31). <input type="checkbox"/> 5. A <b>copy</b> of the International Application as filed (35 U.S.C. 371 (c)(2)) <input type="checkbox"/> a. is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> b. has been communicated by the International Bureau <input type="checkbox"/> c. is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> 6. An English <b>translation</b> of the International Application as filed (35 U.S.C. 371(c)(2)). <input type="checkbox"/> a. is attached hereto. <input type="checkbox"/> b. has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> c. is not needed since the International Application is in English. <input type="checkbox"/> 7. Amendments to the claims of the International Appln. under PCT Article 19 (35 USC 371 (c)(3)) <input type="checkbox"/> a. are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> b. have been communicated by the International Bureau. <input type="checkbox"/> c. have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> d. have not been made and will not be made. <input type="checkbox"/> 8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> 9. An oath or <b>declaration</b> of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> 10. An English translation of the annexes to the Int'l Pre. Exam. Report under PCT Article 36 (35 USC 371(c)(5)).		
<b>Items 11. to 20. below concern document(s) or information included:</b> <input checked="" type="checkbox"/> 11. An <b>Information Disclosure Statement</b> under 37 C.F.R. 1.97 and 1.98. <input checked="" type="checkbox"/> 12. An <b>Assignment</b> document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included. <input type="checkbox"/> 13. A <b>preliminary amendment</b> . <input type="checkbox"/> 14. An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> 15. A substitute specification. <input type="checkbox"/> 16. A power of attorney and/or change of address letter. <input type="checkbox"/> 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 & 37 CFR 1.821-825. <input type="checkbox"/> 18. A second copy of the published international application under 35 USC 154(d)(4). <input type="checkbox"/> 19. A second copy of the English translation of the international application under 35 USC 154(d)(4). 20. <b>Other</b> items or information: <input checked="" type="checkbox"/> Return Receipt Postcard. <input checked="" type="checkbox"/> A copy of the Notification of Missing Requirements under 35 U.S.C. 371. <input checked="" type="checkbox"/> In the event that a petition for extension of time is required to be submitted herewith, and in the event that a separate petition does not accompany this response, applicant hereby petitions under 37 CFR 1.136(a) for an extension of time of as many months as are required to render this submission timely. Any fee is authorized in 21(c). <input type="checkbox"/>		
Date: July 11, 2005		

U.S. APPLICATION NO. (if known) 10/511,200		INTERNATIONAL APPLICATION NO. PCT/EP03/04820		ATTORNEY DOCKET NO. P08418US00/MP	
The following fees have been submitted:				CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 21. Basic national fee \$300				\$	
<input type="checkbox"/> 22. Examination fee					
<input type="checkbox"/> IPER prepared by USPTO & all claims satisfy PCT Art. 33(1-4) \$100				\$	
<input type="checkbox"/> All other situations \$200					
<input type="checkbox"/> 23. Search fee					
<input type="checkbox"/> Has been paid on the Int'l Appln. to the USPTO as ISA (37 CFR 1.445.a.2) \$100				\$	
<input type="checkbox"/> International Search Report prepared and provided to the Office \$400					
<input type="checkbox"/> All other situations \$500					
TOTAL OF 21, 22 AND 23				\$	
<input type="checkbox"/> SIZE FEE: sheets - 100 = ÷ 50 = [rounded up] × \$250 =				\$	
<input checked="" type="checkbox"/> Surcharge of \$130 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)) \$130				\$ 130	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	22 - 20 =	0	X \$50 =	\$	
Independent Claims	2 - 03 =	0	X \$200 =	\$	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)			+ \$360 =	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 130	
<input type="checkbox"/> Applicant claims small entity status - 37 CFR 1.27. Fees above reduced by ½.				\$	
SUBTOTAL =				\$ 130	
<input type="checkbox"/> Processing fee for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)) \$130				\$	
TOTAL NATIONAL FEE =				\$ 130	
<input checked="" type="checkbox"/> Fee for recording enclosed assignment (37 CFR 1.21(h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) \$40 per property				\$ 40	
TOTAL FEES ENCLOSED =				\$ 170	
Amount to be				Refunded	\$
				Charged	\$

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- ☐ a. A CHECK in the amount of \$ <sup>130.00 UP</sup> to cover the above fees is enclosed.
- ☒ b. Payment of \$ 170.00 is made by attached Credit Card Payment Form (PTO-2038)
- ☒ c. The Commissioner is hereby authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0555.
- ☐ d. Do not charge any claim fees now - any additional claims fees will be paid with the Missing Requirements.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.


POWER OF ATTORNEY &  
CORRESPONDENCE ADDRESS:

CUSTOMER NO. 00881

Date: July 11, 2005

NAME: Marvin Petry

REG. NO.: 22752

Signed (for) by: 

REG. NO.: 22752



## UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PC TO 11 JUL 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,200	Libero Facchini	P08418US00MP

881  
 STITES & HARBISON PLLC  
 1199 NORTH FAIRFAX STREET  
 SUITE 900  
 ALEXANDRIA, VA 22314

COPY

INTERNATIONAL APPLICATION NO.	
PCT/EP03/04820	
I.A. FILING DATE	PRIORITY DATE
05/08/2003	05/13/2002

8-24-2005

CONFIRMATION NO. 8641  
 371 FORMALITIES LETTER



\*OC000000016372535\*

Date Mailed: 06/24/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/14/2004
- Copy of the International Search Report filed on 10/14/2004
- Preliminary Amendments filed on 10/14/2004
- U.S. Basic National Fees filed on 10/14/2004
- Priority Documents filed on 10/14/2004

RECEIVED

JUN 27 2005

STITES &amp; HARBISON

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The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

COPY

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,200	PCT/EP03/04820	P08418US00MP

FORM PCT/DO/EO/905 (371 Formalities Notice)

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